

**TOWN OF BROOKFIELD**  
**WARNING: NOTICE OF SPECIAL TOWN MEETING**

The legal voters of the Town of Brookfield, and those entitled to vote therein, are hereby warned and notified to meet at the Brookfield Town Hall, 100 Pocono Road, Brookfield, Connecticut, Meeting Room 133 on Tuesday, October 22, 2013 at 6:00 P.M., for the following purposes, to wit:

1. To consider and vote upon a resolution authorizing the Town to (a) sell at public auction the real estate and buildings located at 186 Whisconier Road subject to terms and conditions outlined in a Notice to Bidders that is available on the Town website and can be obtained from the office of the Town Clerk, and (b) do any and all things which may be legally necessary or appropriate to accomplish the above purpose.

2. To consider and act upon resolution (a) authorizing an appropriation of \$85,000 to fund the costs of the replacement of the heating system at the Brookfield Volunteer Fire Company located at 92 Pocono Road (the "Fire Company Heating Project") and authorizing the Town to issue general obligation bonds or notes and temporary notes in the aggregate maximum amount of \$85,000 to finance said appropriation, (b) authorizing the First Selectman and the Treasurer to determine the amount, date, interest rates, maturities, form and other details of the bonds or notes and temporary notes and to reduce the scope of the Fire Company Heating Project and spend the entire amount of the appropriation on such Project as so reduced in scope if such Project cannot be completed for the amount appropriated; and (c) authorizing the First Selectman, the Treasurer and other proper officers of the Town to take all other action which is necessary or desirable to complete the Fire Company Heating Project and to issue bonds or notes to defray the aforesaid appropriation.

3. To consider and act upon resolution (a) authorizing an appropriation of \$115,000 to fund the costs of the replacement of the heating system (including conversion to gas heat) at the Brookfield Town Garage (the "Heat Conversion Project") and authorizing the Town to issue general obligation bonds or notes and temporary notes in the aggregate maximum amount of \$115,000 to finance said appropriation, (b) authorizing the First Selectman and the Treasurer to determine the amount, date, interest rates, maturities, form and other details of the bonds or notes and temporary notes and to reduce the scope of the Heat Conversion Project and spend the entire amount of the appropriation on such Project as so reduced in scope if such Project cannot be completed for the amount appropriated; and (c) authorizing the First Selectman, the Treasurer and other proper officers of the Town to take all other action which is necessary or desirable to complete the Heat Conversion Project and to issue bonds or notes to defray the aforesaid appropriation.

Copies of said resolution are on file and available for public inspection at the Office of the Brookfield Town Clerk.

Dated at Brookfield, Connecticut, this 10<sup>th</sup> day of October, 2013.

Board of Selectmen,

William R. Davidson, First Selectman

Howard Lasser, Selectman

George F. Walker, Selectman

TOWN OF BROOKFIELD  
100 POCONO ROAD  
BROOKFIELD, CT 06804

**NOTICE TO BIDDERS**

1. All persons desiring to participate in the bidding must qualify by registering with the Clerk prior to the commencement of the auction, and by tendering the required deposit, in the amount of \$2,500.00, by bank check made payable to the Town of Brookfield. Qualified bidders will be issued numbers and bidding will be conducted and recorded by such numbers. Only qualified bidders may participate.

2. The property is sold subject to the following encumbrances:

- a. Any and all provisions of any ordinance, municipal regulation, public or private law, including but not limited to building, zoning, planning, and subdivision regulations of the Town of Brookfield.
- b. The property is located in Brookfield Historic District No. 1 and is subject to Chapter 26 of the Brookfield Code of Ordinance. Any renovation or alteration of the structures on the property or new construction requires the issuance of a certificate of appropriateness from the Historic District Commission.
- c. Taxes due the Town of Brookfield on the List of October 1, 2012, and thereafter.
- d. Sewer charges, as may be due and payable subsequent to the date of the transfer.
- e. Water charges, as may be due and payable subsequent to the date of the transfer.
- f. Notes, lines, easements, rights of way, conditions, facts and all matters as shown on Map No. 3-4-2 of the Brookfield Land Records.
- g. An Easement as set forth in a Private Property Permit in favor of the Danbury and Bethel Gas and Electric Light Company dated January 6, 1951 and recorded January 13, 1951 in Volume 39 at Page 481 of the Brookfield Land Records.

- h. A Variance from the Zoning Board of Appeals dated August 15, 1979 and recorded August 23, 1979 in Volume 131 at Page 337 of the Brookfield Land Records.
- i. Such state of facts as a more accurate survey or physical inspection of the property may disclose.
- j. All easements, covenants and restrictions as of record may appear.
- k. Use of the property will be restricted exclusively to residential purposes.

3. The property is being sold "as is". No warranties, either express implied, are made as to its condition and no adjustments will be made for any after-discovered defects. All bids are based on the bidder's information and knowledge of the condition of the property acquired through his or her own endeavors and not upon any representations or comments made by the Town of Brookfield.

4. The property is being sold subject to no financing contingency. In the event the successful bidder is either unable or unwilling to consummate the sale, the deposit will be retained as liquidated damages.

5. Title will be transferred without any adjustment for taxes on the current list or for any outstanding utility charges or other like charges.

6. Bidders are required to make an opening minimum bid of \$30,000.00.

7. The successful bidder shall be required to commence renovation of the house within 6 months of closing of title thereto. Construction must be completed within 18 months of closing. The aforesaid start and completion dates may be extended with the consent of the Board of Selectman. The renovation of structures shall be in accordance with the requirements of the regulations of Historic District No. 1, and in addition, in accordance with the Standards of the Secretary of the Interior for the treatment of historic properties.

8. The successful purchaser of the property will need to install a new driveway as shown on the attached drawing. This will require an application to the State DOT.

9. At the conclusion of the bidding, the successful bidder will be required to execute a Contract with the Town of Brookfield, and close title within 30 days of the auction date.

**RESOLUTION  
OF THE TOWN OF BROOKFIELD  
186 WHISCONIER ROAD**

**Item 1.** Upon favorable recommendation of the Board of Selectmen on October 7, 2013 and approval of the Planning Commission on February 7, 2013, BE IT RESOLVED:

- (a) That the Town of Brookfield sell by public auction of land and buildings at 186 Whisconier Road subject to terms and conditions set forth in the Notice to Bidders dated October 15, 2013, that is available on the Town website and can be obtained at the office of the Town Clerk.
- (b) To do any and all things which may be legally necessary or appropriate to accomplish the above purpose.

**BOND RESOLUTION  
OF THE TOWN OF BROOKFIELD  
FIRE COMPANY HEATING PROJECT**

**Item 2. Upon the recommendation of the Board of Selectmen and approval of the Board of Finance,**

**BE IT RESOLVED THAT:**

(a) That the Town of Brookfield appropriate EIGHTY-FIVE THOUSAND DOLLARS (\$85,000) to fund the costs of the replacement of the heating system at the Brookfield Volunteer Fire Company located at 92 Pocono Road (the "Fire Company Heating Project" or the "Project"). The appropriation may be spent for acquisition and materials, installation, site improvements, engineering fees, contractor and subcontractor fees, and legal fees, net interest on borrowings, and other expenses and financing costs related to the Project.

(b) That the Town issue its serial bonds, notes or obligations in an amount not to exceed EIGHTY-FIVE THOUSAND DOLLARS (\$85,000) to finance the appropriation for the Fire Company Heating Project. The bonds or notes shall be issued pursuant to Section 7-369 of the General Statutes of Connecticut, Revision of 1958, as amended (the "General Statutes"), and any other enabling acts. The bonds or notes shall be secured by the irrevocable pledge of the full faith and credit of the Town. The bonds or notes may be issued in one or more series, and any series may be sold as a single issue or consolidated with any other bonds or notes of the Town. The Treasurer shall keep a record of the bonds or notes. The First Selectman and the Treasurer of the Town shall sign the bonds or notes by their manual or facsimile signatures. The bonds or notes shall bear the seal of the Town or a facsimile of the seal. The First Selectmen and the Treasurer are authorized to determine the amount, date, interest rates, maturities, form and other details of the bonds or notes; to sell the bonds or notes at public or private sale; to deliver the bonds or notes; and to perform all other acts which are necessary or appropriate to issue the bonds or notes.

(c) That the Town issue and renew its temporary notes from time to time in anticipation of the receipt of the proceeds from the sale of the bonds or notes for the Fire Company Heating Project, provided the amount of notes outstanding at any time shall not exceed EIGHTY-FIVE THOUSAND DOLLARS (\$85,000). The notes shall be issued pursuant to Section 7-378 of the General Statutes, and shall be secured by the irrevocable pledge of the full faith and credit of the Town. The Town shall comply with the provisions of 7-378a of the General Statutes if the notes do not mature within the time permitted by said Section 7-378. The First Selectmen and the Treasurer are authorized to determine the amounts, dates, interest rates, maturities, form, and other details of the notes; to sell the notes at public or private sale; to deliver the notes; and to perform all other acts which are necessary or appropriate to issue the notes.

(d) That the Town hereby declares its official intent under Federal Income Tax Regulation Section 1.150-2 that Project costs may be paid from temporary advances of available funds and that the Town reasonably expects to reimburse any such advances from the proceeds of borrowings in an aggregate principal amount not in excess of the amount of borrowing authorized above for the Fire Company Heating Project. The First Selectman and Treasurer are authorized to amend such declaration of official intent as they deem necessary or advisable and to bind the Town pursuant to such representations and covenants as they deem necessary or advisable in order to maintain the continued exemption from federal income taxation of interest on the bonds or notes authorized by this resolution if issued on a tax-exempt basis, including covenants to pay rebates of investment earnings to the United States in future years.

(e) That the First Selectman and the Treasurer are authorized to reduce the scope of the Fire Company Heating Project and spend the entire amount of the appropriation on the Project as so reduced in scope if the Project cannot be completed for the amount appropriated.

(f) That the First Selectman, Treasurer and other proper officers of the Town are authorized to make representations and enter into written agreements for the benefit of holders of the bonds or notes to provide secondary market disclosure information, which agreements may include such terms as they deem advisable or appropriate in order to comply with applicable laws or rules pertaining to the sale or purchase of such bonds or notes.

(g) That the First Selectman, the Treasurer and other proper officers of the Town are authorized to take all other action which is necessary or desirable to complete the Fire Company Heating Project and to issue bonds or notes to defray the aforesaid appropriation.

**BOND RESOLUTION  
OF THE TOWN OF BROOKFIELD  
HEAT CONVERSION PROJECT**

**Item 3. Upon the recommendation of the Board of Selectmen and approval of the Board of Finance,**

**BE IT RESOLVED THAT:**

(a) That the Town of Brookfield appropriate ONE HUNDRED FIFTEEN THOUSAND DOLLARS (\$115,000) to fund the costs of the replacement of the heating system (including conversion to gas heat) at the Brookfield Town Garage (the "Heat Conversion Project" or the "Project"). The appropriation may be spent for design and construction costs, acquisition and materials, site improvements, engineering fees, management and consultant fees, contractor and subcontractor fees, administrative and legal fees, net interest on borrowings, and other expenses and financing costs related to the Project.

(b) That the Town issue its serial bonds, notes or obligations in an amount not to exceed ONE HUNDRED FIFTEEN THOUSAND DOLLARS (\$115,000) to finance the appropriation for the Heat Conversion Project. The bonds or notes shall be issued pursuant to Section 7-369 of the General Statutes of Connecticut, Revision of 1958, as amended (the "General Statutes"), and any other enabling acts. The bonds or notes shall be secured by the irrevocable pledge of the full faith and credit of the Town. The bonds or notes may be issued in one or more series, and any series may be sold as a single issue or consolidated with any other bonds or notes of the Town. The Treasurer shall keep a record of the bonds or notes. The First Selectman and the Treasurer of the Town shall sign the bonds or notes by their manual or facsimile signatures. The bonds or notes shall bear the seal of the Town or a facsimile of the seal. The First Selectmen and the Treasurer are authorized to determine the amount, date, interest rates, maturities, form and other details of the bonds or notes; to sell the bonds or notes at public or private sale; to deliver the bonds or notes; and to perform all other acts which are necessary or appropriate to issue the bonds or notes.

(c) That the Town issue and renew its temporary notes from time to time in anticipation of the receipt of the proceeds from the sale of the bonds or notes for the Heat Conversion Project, provided the amount of notes outstanding at any time shall not exceed ONE HUNDRED FIFTEEN THOUSAND DOLLARS (\$115,000). The notes shall be issued pursuant to Section 7-378 of the General Statutes, and shall be secured by the irrevocable pledge of the full faith and credit of the Town. The Town shall comply with the provisions of 7-378a of the General Statutes if the notes do not mature within the time permitted by said Section 7-378. The First Selectmen and the Treasurer are authorized to determine the amounts, dates, interest rates, maturities, form, and other details of the notes; to sell the notes at public or private sale; to deliver the notes; and to perform all other acts which are necessary or appropriate to issue the notes.

(d) That the Town hereby declares its official intent under Federal Income Tax Regulation Section 1.150-2 that Project costs may be paid from temporary advances of available funds and that the Town reasonably expects to reimburse any such advances from the proceeds of borrowings in an aggregate principal amount not in excess of the amount of borrowing authorized above for the Heat Conversion Project. The First Selectman and Treasurer are authorized to amend such declaration of official intent as they deem necessary or advisable and to bind the Town pursuant to such representations and covenants as they deem necessary or advisable in order to maintain the continued exemption from federal income taxation of interest on the bonds or notes authorized by this resolution if issued on a

tax-exempt basis, including covenants to pay rebates of investment earnings to the United States in future years.

(e) That the First Selectman and the Treasurer are authorized to reduce the scope of the Heat Conversion Project and spend the entire amount of the appropriation on the Project as so reduced in scope if the Project cannot be completed for the amount appropriated.

(f) That the First Selectman, Treasurer and other proper officers of the Town are authorized to make representations and enter into written agreements for the benefit of holders of the bonds or notes to provide secondary market disclosure information, which agreements may include such terms as they deem advisable or appropriate in order to comply with applicable laws or rules pertaining to the sale or purchase of such bonds or notes.

(g) That the First Selectman, the Treasurer and other proper officers of the Town are authorized to take all other action which is necessary or desirable to complete the Heat Conversion Project and to issue bonds or notes to defray the aforesaid appropriation.